



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0604/2

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This A.M.

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DOA:.....Fath, BB0218 - Appropriation for TANF-related and
Childcare-related recoveries

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

do not
generate

1 AN ACT ~~relating to~~; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill creates an appropriation to DWD that consists of recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal Child Care and Development Fund (CCDF) block grant moneys, federal Temporary Assistance for Needy Families (TANF) block grant moneys, and state moneys paid to meet the maintenance-of-effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance-of-effort moneys are used for various public assistance programs, including Wisconsin Works (W-2) and the child care subsidy program in W-2. The appropriation may be used for the recovery costs, for activities to reduce errors in W-2 and the child care subsidy program, and for any of the other purposes under current law for which CCDF and TANF moneys are used.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
insert
A

1 SECTION 1. 20.001 (2) (c) of the statutes is amended to read:

2 20.001 (2) (c) *Program revenues-service*. "Program revenues-service", which,
3 except for the appropriation account under s. 20.445 (3) (me), are indicated by the
4 abbreviation "PR-S" in s. 20.005, consist of appropriated moneys in the general fund
5 derived from any revenue source that are transferred between or within state
6 agencies or miscellaneous appropriations. ~~These~~ Except for the appropriation under
7 s. 20.445 (3) (me), these moneys are shown as expenditures in the appropriation of
8 the state agency or program from which the moneys are transferred and are also
9 shown as program revenue in the appropriation of the agency or program to which
10 the moneys are transferred. For any program revenue-service appropriation which
11 is limited to the amounts in the schedule, no expenditure may be made exceeding the
12 amounts in the schedule, except as provided in ss. 13.101 and 16.515, regardless of
13 the amounts credited to the account from which the appropriation is made.

14 SECTION 2. 20.001 (2) (e) of the statutes is amended to read:

15 20.001 (2) (e) *Federal revenues*. Moneys "Federal revenues," consist of moneys
16 received from the federal government ~~and~~ under s. 20.445 (3) (me), of moneys
17 treated as received from the federal government and may be deposited as program
18 revenues in the general fund or as segregated revenues in a segregated fund. In
19 either case they are indicated in s. 20.005 by the addition of "-F" after the
20 abbreviation assigned under pars. (b) and (d).

21 SECTION 3. 20.445 (3) (me) of the statutes is created to read:

22 20.445 (3) (me) *Child care and temporary assistance overpayment recovery*. All
23 moneys received from the recovery of overpayments, and incorrect or disallowed
24 payments, and voluntary repayments of federal Child Care and Development Fund
25 block grant funds, of federal Temporary Assistance for Needy Families block grant

✓ Insert
2-16

Insert 2-20

from other appropriations

1 funds, and of state moneys paid ~~under pars. (a), (cm), (dz), (jL), (k), (L), (s), and (t)~~
2 ~~and s. 20.435(4) (bn) and (7)(b)~~ to meet maintenance-of-effort requirements under
3 the federal Temporary Assistance for Needy Families block grant program under 42
4 USC 601 to 619 and the federal Child Care and Development Fund block grant
5 program under 42 USC 9858 *that are treated as federal revenue under* for costs related to recovering the overpayments and
6 incorrect or disallowed payments, for activities to reduce errors under the Wisconsin
7 Works program under ss. 49.141 to 49.161, and for any of the purposes specified
8 under s. 49.175 (1). *federal laws*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 4.** 49.175 (1) (intro.) of the statutes is amended to read:

10 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
11 the limits of the appropriations under s. 20.445 (3) (a), (cm), (dz), (jL), (k), (kx), (L),
12 (mc), (md), [✓](me), [✓](nL), and (s), the department shall allocate the following amounts
13 for the following purposes:

14 (END)

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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INSERT A

The bill also provides that to an appropriation to DWD that consists of federal moneys, DWD may credit, as refunds of expenditures, amounts that are returned to DWD in a fiscal year that is different from the fiscal year in which DWD made the original payment if the returned amount is subject to expenditure in the same contract period in which the original payment was made. Under current law, only payments that are returned in the same fiscal year in which they were originally made may be credited as refunds of expenditures.

(END OF INSERT A)

INSERT 2-16

1 (md), of moneys treated as refunds of expenditures, and under s. 20.445 (3)

(END OF INSERT 2-16)

INSERT 2-20

2 **SECTION 1.** 20.001 (5) of the statutes is amended to read:

3 20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated
4 under this chapter that is received by a state agency as a result of an adjustment
5 made to a previously recorded expenditure from a sum certain appropriation to that
6 agency due to activities that are of a temporary nature or activities that could not be
7 anticipated during budget development and which serves to reduce or eliminate the
8 previously recorded expenditure in the same fiscal year in which the previously
9 recorded expenditure was made, except as provided in s. 20.445 (md), ⁽³⁾ may, upon
10 request of the agency, be designated by the secretary of administration as a refund
11 of an expenditure. Except as otherwise provided in this subsection, the secretary of
12 administration may designate an amount received by a state agency as a refund of
13 an expenditure only if the agency submits to the secretary a written explanation of
14 the circumstances under which the amount was received that includes a specific


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1 reference in a statutory or nonstatutory law to a function of the agency under which
2 the amount was received and the appropriation from which the previously recorded
3 expenditure was made. A refund of an expenditure shall be deposited by the
4 receiving state agency in the appropriation account from which the previously
5 recorded expenditure was made. Except as otherwise provided in this subsection, a
6 state agency which proposes to make an expenditure from moneys designated as a
7 refund of an expenditure shall submit to the secretary of administration a written
8 explanation of the purpose of the expenditure, including a specific reference in a
9 statutory or nonstatutory law to a function of the agency under which the
10 expenditure is to be made and the appropriation from which the expenditure is to be
11 made. After submission and approval of an estimate of the amount proposed to be
12 expended under s. 16.50 (2), a state agency may expend the moneys received from
13 the refund of the expenditure. The secretary of administration may waive
14 submission of any explanation required by this subsection for categories of refunds
15 of expenditures or proposed refunds of expenditures.

History: 1973 c. 333; 1977 c. 29, 418; 1979 c. 34; 1981 c. 20; 1983 a. 27, 538; 1985 a. 135 s. 85; 1985 a. 332 s. 253; 1987 a. 4; 1989 a. 31; 1993 a. 16; 1995 a. 27; 2001 a. 16.

16 **SECTION 2.** 20.445 (3) (md) of the statutes is amended to read:

17 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
18 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
19 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
20 (k), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
21 (2) (kf). All block grant moneys received for these purposes from the federal
22 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
23 be credited to this appropriation account. The department may credit to this
24 appropriation account the amount of any returned check, or payment in other form,



- 1 that is subject to expenditure in the same contract period in which the original
- 2 payment attempt was made, regardless of the fiscal year in which the original
- 3 payment attempt was made.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197.

(END OF INSERT 2-20)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0604/3

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Childcare-related recoveries

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT; relating to: the budget.

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HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill creates an appropriation to DWD that consists of recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal Child Care and Development Fund (CCDF) block grant moneys, federal Temporary Assistance for Needy Families (TANF) block grant moneys, and state moneys paid to meet the maintenance-of-effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance-of-effort moneys are used for various public assistance programs, including Wisconsin Works (W-2) and the child care subsidy program in W-2. The appropriation may be used for the recovery costs, for activities to reduce errors in W-2 and the child care subsidy program, and for any of the other purposes under current law for which CCDF and TANF moneys are used.

The bill also provides that, to an appropriation to DWD that consists of federal moneys, DWD may credit, as refunds of expenditures, amounts that are returned to DWD in a fiscal year that is different from the fiscal year in which DWD made the original payment if the returned amount is subject to expenditure in the same contract period in which the original payment was made. Under current law, only

payments that are returned in the same fiscal year in which they were originally made may be credited as refunds of expenditures.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.001 (2) (e) of the statutes is amended to read:

20.001 (2) (e) *Federal revenues*. Moneys "Federal revenues," ^{except that} consist of moneys ^{"federal revenues"} received from the federal government, under s. 20.445 (3) (md), ^{include} and under s. 20.445 (3) (me), of moneys treated as refunds of expenditures ^{of federal revenues} from the federal government ~~may~~ ^{may} be deposited as program revenues in the general fund or as segregated revenues in a segregated fund. In either case they are indicated in s. 20.005 by the addition of "-F" after the abbreviation assigned under pars. (b) and (d).

SECTION 2. 20.001 (5) of the statutes is amended to read:

20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated under this chapter that is received by a state agency as a result of an adjustment made to a previously recorded expenditure from a sum certain appropriation to that agency due to activities that are of a temporary nature or activities that could not be anticipated during budget development and which serves to reduce or eliminate the previously recorded expenditure in the same fiscal year in which the previously recorded expenditure was made, except as provided in s. 20.445 (3) (md), may, upon request of the agency, be designated by the secretary of administration as a refund of an expenditure. Except as otherwise provided in this subsection, the secretary of administration may designate an amount received by a state agency as a refund of an expenditure only if the agency submits to the secretary a written explanation of

1 the circumstances under which the amount was received that includes a specific
2 reference in a statutory or nonstatutory law to a function of the agency under which
3 the amount was received and the appropriation from which the previously recorded
4 expenditure was made. A refund of an expenditure shall be deposited by the
5 receiving state agency in the appropriation account from which the previously
6 recorded expenditure was made. Except as otherwise provided in this subsection, a
7 state agency which proposes to make an expenditure from moneys designated as a
8 refund of an expenditure shall submit to the secretary of administration a written
9 explanation of the purpose of the expenditure, including a specific reference in a
10 statutory or nonstatutory law to a function of the agency under which the
11 expenditure is to be made and the appropriation from which the expenditure is to be
12 made. After submission and approval of an estimate of the amount proposed to be
13 expended under s. 16.50 (2), a state agency may expend the moneys received from
14 the refund of the expenditure. The secretary of administration may waive
15 submission of any explanation required by this subsection for categories of refunds
16 of expenditures or proposed refunds of expenditures.

17 **SECTION 3.** 20.445 (3) (md) of the statutes is amended to read:

18 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
19 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
20 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
21 (k), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
22 (2) (kf). All block grant moneys received for these purposes from the federal
23 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
24 be credited to this appropriation account. The department may credit to this
25 appropriation account the amount of any returned check, or payment in other form,

1 that is subject to expenditure in the same contract period in which the original
2 payment attempt was made, regardless of the fiscal year in which the original
3 payment attempt was made.

4 **SECTION 4.** 20.445 (3) (me) of the statutes is created to read:

5 20.445 (3) (me) *Child care and temporary assistance overpayment recovery.* All
6 moneys received from the recovery of overpayments, and incorrect or disallowed
7 payments, and voluntary repayments of federal Child Care and Development Fund
8 block grant funds, of federal Temporary Assistance for Needy Families block grant
9 funds, and of state moneys paid from other appropriations to meet
10 maintenance-of-effort requirements under the federal Temporary Assistance for
11 Needy Families block grant program under 42 USC 601 to 619 and the federal Child
12 Care and Development Fund block grant program under 42 USC 9858 that are
13 treated as federal revenue under federal law, for costs related to recovering the
14 overpayments and incorrect or disallowed payments, for activities to reduce errors
15 under the Wisconsin Works program under ss. 49.141 to 49.161, and for any of the
16 purposes specified under s. 49.175 (1).

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 5.** 49.175 (1) (intro.) of the statutes is amended to read:

18 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
19 the limits of the appropriations under s. 20.445 (3) (a), (cm), (dz), (jL), (k), (kx), (L),
20 (mc), (md), (me), (nL), and (s), the department shall allocate the following amounts
21 for the following purposes:

22 (END)

Kahler, Pam

From: Fath, Erin
Sent: Tuesday, January 25, 2005 2:46 PM
To: Kahler, Pam
Subject: FW: LRB Draft: 05-0604/3 Appropriation for TANF-related and Childcare-related recoveries



05-0604/3

Hi Pam,

A few comments from DWD, but I'm not sure they warrant a re-draft (I'll let you decide).

As for the actual language in the draft:

1. DWD also thought that the reference in 20.001(2)(e) to moneys treated as refunds of expenditures under s. 20.445(3)(md) was not necessary; but also, that it wouldn't have any kind of negative effect. Our preference would be to leave it out, but I think it still workable if LRB decides to leave it in.

2. DWD wasn't comfortable with the reference to "under federal law" on line 14 of p. 4. I explained that LRB wanted to have some kind of reference, and that in the absence of a USC citation, that's the best we could do. DWD noted that it is actually DWD who makes the determination as to whether the funds are treated as federal revenues. I pointed out that it was instruction from DHHS' interpretation of federal law that gave DWD the authority to make such a determination. I think they are concerned about equating DHHS administrative interpretation with "federal law". I don't think it's a problem and I don't see a need to change it.

Analysis language:

1. DWD noted that to be consistent with the language created for 20.445 (3)(me), perhaps the first sentence of the draft should end with: "that are treated as federal revenue" (after "under those two federal block grant programs").

Thanks,
-Erin

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Tuesday, January 25, 2005 11:35 AM
To: Fath, Erin
Cc: Hanle, Bob; Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica
Subject: LRB Draft: 05-0604/3 Appropriation for TANF-related and
Childcare-related recoveries

Following is the PDF version of draft 05-0604/3.



State of Wisconsin
2005 - 2006 LEGISLATURE

Today

LRB-0604/5
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DOA:.....Fath, BB0218 - Appropriation for TANF-related and
Childcare-related recoveries

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

do not proceed

1 AN ACT *x*; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill creates an appropriation to DWD that consists of recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal Child Care and Development Fund (CCDF) block grant moneys, federal Temporary Assistance for Needy Families (TANF) block grant moneys, and state moneys paid to meet the maintenance-of-effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance-of-effort moneys are used for various public assistance programs, including Wisconsin Works (W-2) and the child care subsidy program in W-2. The appropriation may be used for the recovery costs, for activities to reduce errors in W-2 and the child care subsidy program, and for any of the other purposes under current law for which CCDF and TANF moneys are used.

The bill also provides that, to an appropriation to DWD that consists of federal moneys, DWD may credit, as refunds of expenditures, amounts that are returned to DWD in a fiscal year that is different from the fiscal year in which DWD made the original payment if the returned amount is subject to expenditure in the same contract period in which the original payment was made. Under current law, only

payments that are returned in the same fiscal year in which they were originally made may be credited as refunds of expenditures.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 20.001 (2) (e) of the statutes is amended to read:

2 20.001 (2) (e) *Federal revenues*. Moneys "Federal revenues" consist of moneys
3 received from the federal government, except that under s. 20.445 (3) (md) "federal
4 revenues" ^{also} include moneys treated as refunds of expenditures ^{and} and under s. 20.445 (3)
5 (me) "federal revenues" consist ^{only} of moneys treated as received from the federal
6 government. Federal revenues may be deposited as program revenues in the general
7 fund or as segregated revenues in a segregated fund. In either case they are indicated
8 in s. 20.005 by the addition of "-F" after the abbreviation assigned under pars. (b)
9 and (d).

10 SECTION 2. 20.001 (5) of the statutes is amended to read:

11 20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated
12 under this chapter that is received by a state agency as a result of an adjustment
13 made to a previously recorded expenditure from a sum certain appropriation to that
14 agency due to activities that are of a temporary nature or activities that could not be
15 anticipated during budget development and which serves to reduce or eliminate the
16 previously recorded expenditure in the same fiscal year in which the previously
17 recorded expenditure was made, except as provided in s. 20.445 (3) (md), may, upon
18 request of the agency, be designated by the secretary of administration as a refund
19 of an expenditure. Except as otherwise provided in this subsection, the secretary of
20 administration may designate an amount received by a state agency as a refund of

1 an expenditure only if the agency submits to the secretary a written explanation of
2 the circumstances under which the amount was received that includes a specific
3 reference in a statutory or nonstatutory law to a function of the agency under which
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7 recorded expenditure was made. Except as otherwise provided in this subsection, a
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13 made. After submission and approval of an estimate of the amount proposed to be
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18 **SECTION 3.** 20.445 (3) (md) of the statutes is amended to read:

19 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
20 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
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22 (k), 20.435 (3) (kc), (kd), and (km), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835
23 (2) (kf). All block grant moneys received for these purposes from the federal
24 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
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2 that is subject to expenditure in the same contract period in which the original
3 payment attempt was made, regardless of the fiscal year in which the original
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13 Care and Development Fund block grant program under 42 USC 9858 that ~~are~~
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15 overpayments and incorrect or disallowed payments, for activities to reduce errors
16 under the Wisconsin Works program under ss. 49.141 to 49.161, and for any of the
17 purposes specified under s. 49.175 (1).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 SECTION 5. 49.175 (1) (intro.) of the statutes is amended to read:

19 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
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23 (END)



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FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT; relating to: the budget.

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1 **SECTION 1.** 20.001 (2) (e) of the statutes is amended to read:

2 20.001 (2) (e) *Federal revenues.* Moneys “Federal revenues” consist of moneys
3 received from the federal government, except that under s. 20.445 (3) (md) “federal
4 revenues” also include moneys treated as refunds of expenditures, and under s.
5 20.445 (3) (me) “federal revenues” consist only of moneys treated as received from the
6 federal government. Federal revenues may be deposited as program revenues in the
7 general fund or as segregated revenues in a segregated fund. In either case they are
8 indicated in s. 20.005 by the addition of “-F” after the abbreviation assigned under
9 pars. (b) and (d).

10 **SECTION 2.** 20.001 (5) of the statutes is amended to read:

11 20.001 (5) **REFUNDS OF EXPENDITURES.** Any amount not otherwise appropriated
12 under this chapter that is received by a state agency as a result of an adjustment
13 made to a previously recorded expenditure from a sum certain appropriation to that
14 agency due to activities that are of a temporary nature or activities that could not be
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19 of an expenditure. Except as otherwise provided in this subsection, the secretary of
20 administration may designate an amount received by a state agency as a refund of

an expenditure only if the agency submits to the secretary a written explanation of the circumstances under which the amount was received that includes a specific reference in a statutory or nonstatutory law to a function of the agency under which the amount was received and the appropriation from which the previously recorded expenditure was made. A refund of an expenditure shall be deposited by the receiving state agency in the appropriation account from which the previously recorded expenditure was made. Except as otherwise provided in this subsection, a state agency which proposes to make an expenditure from moneys designated as a refund of an expenditure shall submit to the secretary of administration a written explanation of the purpose of the expenditure, including a specific reference in a statutory or nonstatutory law to a function of the agency under which the expenditure is to be made and the appropriation from which the expenditure is to be made. After submission and approval of an estimate of the amount proposed to be expended under s. 16.50 (2), a state agency may expend the moneys received from the refund of the expenditure. The secretary of administration may waive submission of any explanation required by this subsection for categories of refunds of expenditures or proposed refunds of expenditures.

SECTION 3. 20.445 (3) (md) of the statutes is amended to read:

20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under ss. ~~20.255 (2) (kh)~~, ~~20.433 (1) (k)~~, 20.435 (3) (kc), (kd), and ~~(km)~~ ^(kx), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account. The department may credit to this

Insert 4-4
1 appropriation account the amount of any returned check, or payment in other form,
2 that is subject to expenditure in the same contract period in which the original
3 payment attempt was made, regardless of the fiscal year in which the original
4 payment attempt was made.

5 SECTION 4. 20.445 (3) (me) of the statutes is created to read:

6 20.445 (3) (me) *Child care and temporary assistance overpayment recovery.* All
7 moneys received from the recovery of overpayments, and incorrect or disallowed
8 payments, and voluntary repayments of federal Child Care and Development Fund
9 block grant funds, of federal Temporary Assistance for Needy Families block grant
10 funds, and of state moneys paid from other appropriations to meet
11 maintenance-of-effort requirements under the federal Temporary Assistance for
12 Needy Families block grant program under 42 USC 601 to 619 and the federal Child
13 Care and Development Fund block grant program under 42 USC 9858 that the
14 department elects to treat as federal revenue, for costs related to recovering the
15 overpayments and incorrect or disallowed payments, for activities to reduce errors
16 under the Wisconsin Works program under ss. 49.141 to 49.161, and for any of the
17 purposes specified under s. 49.175 (1).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 SECTION 5. 49.175 (1) (intro.) of the statutes is amended to read:

19 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
20 the limits of the appropriations under s. 20.445 (3) (a), (cm), (dz), (jL), (k), (kx), (L),
21 (mc), (md), (me), (nL), and (s), the department shall allocate the following amounts
22 for the following purposes:

D-note

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0604/5ins
PJK&JTK:jld&kjf:jf

INSERT 4-4

****NOTE: This is reconciled s. 20.445 (3) (md). This SECTION has been affected by drafts with the following LRB numbers: LRB-0604, -1534, -1625, -1635, and -1662.

(END OF INSERT 4-4)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0604/5dn
PJK&JTK:jld&kjf:jf

Erin Fath and Cythia Dombrowski:

This draft reconciles LRB-0604, LRB-1526, LRB-1662, and LRB-1787 (with respect to s. 49.175 (1) (intro.)) All of these drafts should continue to appear in the compiled bill.

Erin:

Fath and Dennis Rhodes

This draft also reconciles LRB-0604, LRB-1534, LRB-1625, LRB-1635, and LRB-1662 (with respect to s. 20.445 (3) (md)) All of these drafts should continue to appear in the compiled bill.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0604/5dn
PJK:jld&kjf:jf

January 26, 2005

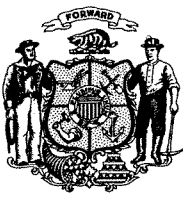
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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0604/5
PJK&JTK:jld&kjf:jf

DOA:.....Fath, BB0218 - Appropriation for TANF-related and
Childcare-related recoveries

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill creates an appropriation to DWD that consists of recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal Child Care and Development Fund (CCDF) block grant moneys, federal Temporary Assistance for Needy Families (TANF) block grant moneys, and state moneys paid to meet the maintenance-of-effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance-of-effort moneys are used for various public assistance programs, including Wisconsin Works (W-2) and the child care subsidy program in W-2. The appropriation may be used for the recovery costs, for activities to reduce errors in W-2 and the child care subsidy program, and for any of the other purposes under current law for which CCDF and TANF moneys are used.

The bill also provides that, to an appropriation to DWD that consists of federal moneys, DWD may credit, as refunds of expenditures, amounts that are returned to DWD in a fiscal year that is different from the fiscal year in which DWD made the original payment if the returned amount is subject to expenditure in the same contract period in which the original payment was made. Under current law, only

payments that are returned in the same fiscal year in which they were originally made may be credited as refunds of expenditures.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.001 (2) (e) of the statutes is amended to read:

2 20.001 (2) (e) *Federal revenues.* Moneys “Federal revenues” consist of moneys
3 received from the federal government, except that under s. 20.445 (3) (md) “federal
4 revenues” also include moneys treated as refunds of expenditures, and under s.
5 20.445 (3) (me) “federal revenues” consist only of moneys treated as received from the
6 federal government. Federal revenues may be deposited as program revenues in the
7 general fund or as segregated revenues in a segregated fund. In either case they are
8 indicated in s. 20.005 by the addition of “–F” after the abbreviation assigned under
9 pars. (b) and (d).

10 **SECTION 2.** 20.001 (5) of the statutes is amended to read:

11 20.001 (5) REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated
12 under this chapter that is received by a state agency as a result of an adjustment
13 made to a previously recorded expenditure from a sum certain appropriation to that
14 agency due to activities that are of a temporary nature or activities that could not be
15 anticipated during budget development and which serves to reduce or eliminate the
16 previously recorded expenditure in the same fiscal year in which the previously
17 recorded expenditure was made, except as provided in s. 20.445 (3) (md), may, upon
18 request of the agency, be designated by the secretary of administration as a refund
19 of an expenditure. Except as otherwise provided in this subsection, the secretary of
20 administration may designate an amount received by a state agency as a refund of

1 an expenditure only if the agency submits to the secretary a written explanation of
2 the circumstances under which the amount was received that includes a specific
3 reference in a statutory or nonstatutory law to a function of the agency under which
4 the amount was received and the appropriation from which the previously recorded
5 expenditure was made. A refund of an expenditure shall be deposited by the
6 receiving state agency in the appropriation account from which the previously
7 recorded expenditure was made. Except as otherwise provided in this subsection, a
8 state agency which proposes to make an expenditure from moneys designated as a
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11 statutory or nonstatutory law to a function of the agency under which the
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21 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), 20.433 (1)
22 (~~k~~), 20.435 (3) (kc), (kd), and (~~km~~) (kx), (4) (kz), (6) (kx), (7) (ky), and (8) (kx), and
23 20.835 (2) (kf). All block grant moneys received for these purposes from the federal
24 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
25 be credited to this appropriation account. The department may credit to this

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18 (END)